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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appn. Number 09/872,914
Appn. Filed 06/01/2001
Applicant Ferdinand Schermel
Title Tiltable Modular Recycle Container System
Examiner Stephen J. Costellano
Art Unit 3727

Dec 6/2002

No. Of page including this one: 1

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant has responded to PAPER NO. 17 Office Action mailed 11/05/2002, concerning the improper filing of the RCE with regards to claim 2 and the combining into claim 1 new matter. The mailing date of this Office action was 11/05/2002 and was received on 11/19/2002. The applicant faxed an explanation and some questions requesting clarification on the new matter and the art of the provisional patent on 11/23/2002 in order to allow the RCE to be accepted. Since the communication is limited to written only (paper No. 14) applicant requested that further communication is faxed as soon as possible as well as mailed, and that if an extension of time is not granted that the examiner would fax this or any other communication by 11/27/2002 in order to allow applicant time to respond and avoid abandonment, as the final date for the 6 month period from the final is 12/12/2002. Applicant will assume that if no response is faxed by 12/09/2002 confirming acceptance of the RCE, that the RCE is not proper and will file for an appeal on 12/10/2002 in order to avoid abandonment.

Applicant pro se

Ferdinand Schermel

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